

Appln No. 09/694,079

Amdt date April 13, 2005

Reply to Office action of January 13, 2005

REMARKS/ARGUMENTS

Claims 26-28, 33-43, and 49-74 remain pending in this application. Claims 28, 35, 53, and 64 have been amended. The amendments find full support in the original specification, claims and drawings. In particular, support may be found in the specification on page 9, first paragraph, and on page 6, last paragraph. No new matter has been added. In view of the above amendments and remarks that follow, Applicant respectfully requests reconsideration, reexamination, and an early indication of allowance of claims 26-28, 33-43, and 49-74.

Independent claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaiser (U.S. Patent No. 6,615,408) in view of Blackketter et al. (U.S. Patent No. 6,415,438). Applicant respectfully traverses this rejection.

Claim 28, as amended, recites a "hyperlinked reception system comprising: a receiver in communication with a broadcast channel . . .; wherein said receiver decodes a digital broadcast signal to recover . . . annotation data, the annotation data including graphics data included in the broadcast signal for overlaying a graphics image on a video frame; wherein, in response to a viewer request, said display device draws the graphics image on a frame-by-frame basis based on the graphics data for at least a plurality of frames of a video carried by the video signal, the drawing of the graphics image being synchronized to an underlying frame based on timing data associated with the graphics data." Applicant submits that the recited limitations are neither taught nor suggested by Kaiser nor Blackketter.

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First, neither Kaiser nor Blackketter teach or suggest decoding "a digital broadcast signal to recover . . . graphics data included in the digital broadcast signal for overlaying a graphics image on a video frame." Although Kaiser discloses a video production with placement zones, these placement zones are simply "one or more frames of a video production," and thus, include video images (See, Col. 6, lines 18-20) (Emphasis added). The disclosed placement zones are not, and do not include, the recited "graphics data for overlaying a graphics image on a video frame."

The visual highlight disclosed in Kaiser also does not constitute the recited "graphics data" since the visual highlight is not "included in the digital broadcast signal." Rather, Kaiser's visual highlight is retrieved over the Internet.

With respect to Blackketter, Blackketter makes no mention of overlaying a graphics image on a video frame.

Second, neither Kaiser nor Blackketter teach or suggest a display device that "draws the graphics image on a frame-by-frame basis based on the graphics data for at least a plurality of frames of a video carried by the video signal, the drawing of the graphics image being synchronized to an underlying frame based on timing data associated with the graphics data." The drawing of the graphics image on a frame-by-frame basis effectively causes the graphics image to be displayed like "animation," on top of the video.

With respect Kaiser, there is nothing in this reference that would teach or suggest that the disclosed visual highlight

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is drawn once and again on a frame-by-frame basis, and much less, that the drawing of the visual highlight is synchronized to an underlying frame. There is no instruction at all in Kaiser as to how such a synchronization would occur. Although Kaiser discloses that the visual highlight may be implemented as an HTML table with the height and width of a cell containing the visual image being modified as the image referencing a product moves, there is no mention of any synchronization information in the HTML table. That is, there is no information that a receiver device could use to determine when to display the visual highlight to allow it to remain synchronized with the underlying video frame for a plurality of frames.

Although Blacketter discloses triggers with time attributes, these time attributes are not used to synchronize the drawing of graphic image overlays on a frame-by-frame basis. Rather, the time attributes in Blacketter delineate events, such as the fetching of information from a web site indicated by the trigger. Accordingly, claim 28 is now in condition for allowance.

Independent claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaiser in view of Kitsukawa et al. (U.S. Patent No. 6,282,713). Applicant respectfully traverses this rejection.

Claim 53, as amended, recites "drawing the graphics image on a frame-by-frame basis based on the graphics data for at least a plurality of frames of the video, the drawing of the graphics image being synchronized to an underlying frame based on timing data associated with the graphics data." As discussed

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above with respect to claim 28, Kaiser fails to teach or suggest this limitation.

Kitsukawa also fails to teach or suggest this limitation. There is nothing in Kitsukawa that would teach or suggest that the disclosed advertising marks are drawn once and again on a frame-by-frame basis, and much less, that the drawing of the advertising marks are synchronized to an underlying frame. As with Kaiser, Kitsukawa is also silent as to how such a synchronization would occur. Accordingly, claim 53 is also in condition for allowance.

Independent claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary et al. (U.S. Patent No. 5,774,664). Applicant respectfully traverses this rejection.

Claim 64, as amended, recites a "packet stream generator" that "steps through the plurality of video frames and associates the timing information of each video frame to the graphics data, wherein, a receiver receiving the plurality of video frames and the graphics data synchronizes drawing of the graphics image based on the graphics data, to an underlying frame, based on the timing information." Hidary fails to teach or suggest this limitation.

The Examiner contends that Hidary discloses the embedding of URLs into a video signal where an embedded URL contains timing information in order to present the URL at the appropriate time. (Office action, p. 10, 1st par.). Nothing in Hidary teaches or suggests, however, synchronizing the drawing of graphic image overlays on a frame-by-frame basis, based on

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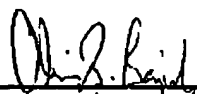
timing information associated with the graphic image overlays. Accordingly, claim 64 is also in condition for allowance.

Claims 26-27, 33-43, and 49-52, 54-63, and 65-74 are rejected under 35 U.S.C. 103(a) as being unpatentable based on one or more of Kaiser, Blackketter, Kitsukawa, and Hidary. Applicant submits that these claims are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations contained therein.

In view of the above amendments and remarks, Applicant respectfully requests reconsideration, reexamination, and an early indication of allowance of claims 26-28, 33-43, and 49-74.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By  Reg. 55,905 for  
Josephine E. Chang  
Reg. No. 46,083  
626/795-9900

JEC/lal